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CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA

CR22-00596 TUC-JGZ(LAB)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

1. Luis Fernando Cruz-Valenzuela,  
Counts (1, 2, 3, 4, 5, 6)

2. Carlos Abel Cruz,  
(Counts 7, 8)

Defendants.

No.

**INDICTMENT**

VIO: 18 U.S.C. § 554(a)  
(Smuggling Goods from the United  
States)  
Counts 1, 4

18 U.S.C. §§ 922(a)(6) & 924(a)(2)  
(Making False Statements in  
Connection with Acquisition of  
Firearms)  
Counts 2, 3, 5, 6, 7, 8

18 U.S.C. § 924(d); 28 U.S.C. §  
2461(c); 50 U.S.C. § 4819(d)(1)(C)  
Forfeiture Allegation

**THE GRAND JURY CHARGES:**

**COUNT 1**

Between or about February 3, 2022, and February 6, 2022, in the District of Arizona, Defendant LUIS FERNANDO CRUZ-VALENZUELA knowingly and fraudulently attempted to export and send from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: one Glock model 22 Gen 5 .40 caliber pistol and one Glock model 23 Gen 5 .40 caliber pistol, knowing the same to be intended for exportation

1 contrary to any law or regulation of the United States, to wit: Title 50, United States Code,  
2 Section 4819, and Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

3 In violation of Title 18, United States Code, Section 554(a).

4 **COUNT 2**

5 On or about February 3, 2022, in the District of Arizona, Defendant LUIS  
6 FERNANDO CRUZ-VALENZUELA, in connection with the acquisition of a firearm, to  
7 wit: one Glock model 22 Gen 5 .40 caliber pistol, from SnG Tactical, a dealer of firearms  
8 within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false  
9 and fictitious written statement to SnG Tactical, which statement was intended and likely  
10 to deceive SnG Tactical as to a fact material to the lawfulness of such sale, in that  
11 Defendant LUIS FERNANDO CRUZ-VALENZUELA stated that he was the actual  
12 transferee/buyer of the firearm when in fact he was acquiring the firearm on behalf of  
13 another person.

14 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

15 **COUNT 3**

16 On or about February 3, 2022, in the District of Arizona, Defendant LUIS  
17 FERNANDO CRUZ-VALENZUELA, in connection with the acquisition of a firearm, to  
18 wit: one Glock model 23 Gen 5 .40 caliber pistol, from Turner's Outdoorsman, a dealer of  
19 firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made  
20 a false and fictitious written statement to Turner's Outdoorsman, which statement was  
21 intended and likely to deceive Turner's Outdoorsman as to a fact material to the lawfulness  
22 of such sale, in that Defendant LUIS FERNANDO CRUZ-VALENZUELA stated that he  
23 was the actual transferee/buyer of the firearm when in fact he was acquiring the firearm on  
24 behalf of another person.

25 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

26 **COUNT 4**

27 On or about March 1, 2022, in the District of Arizona, Defendant LUIS  
28 FERNANDO CRUZ-VALENZUELA knowingly and fraudulently attempted to export and

1 send from the United States any merchandise, article, or object contrary to any law or  
2 regulation of the United States, and received, concealed, bought, sold, and in any manner  
3 facilitated the transportation, concealment, and sale of such merchandise, article or object,  
4 that is: two Glock model 17 9mm caliber pistols, one Glock model 19 9mm caliber pistol,  
5 one Glock model 22 .40 caliber pistol, six 9mm caliber magazines, and two .40 caliber  
6 magazines, knowing the same to be intended for exportation contrary to any law or  
7 regulation of the United States, to wit: Title 50, United States Code, Section 4819, and Title  
8 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

9 In violation of Title 18, United States Code, Section 554(a).

10 **COUNT 5**

11 On or about March 1, 2022, in the District of Arizona, Defendant LUIS  
12 FERNANDO CRUZ-VALENZUELA, in connection with the acquisition of a firearm, to  
13 wit: one Glock model 17 9mm caliber pistol, from Diamondback Shooting Sports, a dealer  
14 of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly  
15 made a false and fictitious written statement to Diamondback Shooting Sports, which  
16 statement was intended and likely to deceive Diamondback Shooting Sports as to a fact  
17 material to the lawfulness of such sale, in that Defendant LUIS FERNANDO CRUZ-  
18 VALENZUELA stated that he was the actual transferee/buyer of the firearm when in fact  
19 he was acquiring the firearm on behalf of another person.

20 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

21 **COUNT 6**

22 On or about March 1, 2022, in the District of Arizona, Defendant LUIS  
23 FERNANDO CRUZ-VALENZUELA, in connection with the acquisition of a firearm, to  
24 wit: one Glock model 19 9mm caliber pistol, from Sportsman's Warehouse #132, a dealer  
25 of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly  
26 made a false and fictitious written statement to Sportsman's Warehouse #132, which  
27 statement was intended and likely to deceive Sportsman's Warehouse #132 as to a fact  
28 material to the lawfulness of such sale, in that Defendant LUIS FERNANDO CRUZ-

1 VALENZUELA stated that he was the actual transferee/buyer of the firearm when in fact  
2 he was acquiring the firearm on behalf of another person.

3 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

4 **COUNT 7**

5 On or about March 1, 2022, in the District of Arizona, Defendant CARLOS ABEL  
6 CRUZ, in connection with the acquisition of a firearm, to wit: a Glock model 17 9mm  
7 caliber pistol, from Sportsman's Warehouse #132, a dealer of firearms within the meaning  
8 of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written  
9 statement to Sportsman's Warehouse #132, which statement was intended and likely to  
10 deceive Sportsman's Warehouse #132 as to a fact material to the lawfulness of such sale,  
11 in that Defendant CARLOS ABEL CRUZ stated that he was the actual transferee/buyer of  
12 the firearm when in fact he was acquiring the firearm on behalf of another person.

13 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

14 **COUNT 8**

15 On or about March 1, 2022, in the District of Arizona, Defendant CARLOS ABEL  
16 CRUZ, in connection with the acquisition of a firearm, to wit: a Glock model 22 .40 caliber  
17 pistol, from Diamondback Shooting Sports, a dealer of firearms within the meaning of  
18 Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written  
19 statement to Diamondback Shooting Sports, which statement was intended and likely to  
20 deceive Diamondback Shooting Sports as to a fact material to the lawfulness of such sale,  
21 in that Defendant CARLOS ABEL CRUZ stated that he was the actual transferee/buyer of  
22 the firearm when in fact he was acquiring the firearm on behalf of another person.

23 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

24 **FORFEITURE ALLEGATION**

25 Upon conviction of Counts One through Eight of the Indictment Defendants LUIS  
26 FERNANDO CRUZ-VALENZUELA and CARLOS ABEL CRUZ shall forfeit to the  
27 United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United  
28 States Code, Section 2461(c), any firearms and ammunition involved in the commission of

1 the offense, including, but not limited to: two Glock model 17 9mm caliber pistols bearing  
2 serial numbers BVFK607 and BWFB398, one Glock model 19 9mm caliber pistol bearing  
3 serial number BVHA607, one Glock model 22 .40 caliber pistol bearing serial number  
4 GGD990, one Glock model 22 Gen 5 .40 caliber pistol bearing serial number BVVD148,  
5 and one Glock model 23 Gen 5 .40 caliber pistol bearing serial number BVCZ355.

6 Upon conviction of Count Four of the Indictment, Defendants LUIS FERNANDO  
7 CRUZ-VALENZUELA and CARLOS ABEL CRUZ shall forfeit to the United States  
8 pursuant to Title 50, United States Code, Section 4819(d)(1)(C), any property constituting  
9 an item or technology that was exported or intended to be exported in violation of the  
10 offense, including, but not limited to: six 9mm caliber magazines and two .40 caliber  
11 magazines.

12 If any of the property described above, as a result of any act or omission of the  
13 defendants: a) cannot be located upon the exercise of due diligence; b) has been transferred  
14 or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of  
15 the court; d) has been substantially diminished in value; or e) has been commingled with  
16 other property which cannot be divided without difficulty, it is the intent of the United  
17 States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title  
18 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said  
19 defendants up to the value of the above forfeitable property, including, but not limited to,  
20 all property, both real and personal, owned by the defendants.

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1 All pursuant to Title 18, United States Code, Section 924(d), Title 50, United States  
2 Code, Section 4819(d)(1)(C), Title 28, United States Code, Section 2461(c) and Rule  
3 32.2(a), Federal Rules of Criminal Procedure.

4  
5 A TRUE BILL

6 /S/

7  
8 FOREPERSON OF THE GRAND JURY  
Dated: March 30, 2022

9  
10 GARY M. RESTAINO  
United States Attorney  
District of Arizona

REDACTED FOR  
PUBLIC DISCLOSURE

11 /S/

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13 ANGELA W. WOOLRIDGE  
Assistant U.S. Attorney